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11 **IN THE UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

14 DARNISHA JOHNSON, an individual, } Case No. 2:20-cv-00399-JCM-EJY
15 Plaintiff, }
16 vs. }
17 JAMES RIVER INSURANCE }
18 COMPANY, an Illinois corporation; }
19 DOES I through X; and ROE }
20 CORPORATIONS I through X, inclusive, }
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21 All of the parties hereto, and for good cause described in this stipulation, and in
22 accord with Local Rule 6-1 and Local Rule 26-4, the parties hereby request this
23 Honorable Court to adopt and approve this stipulated extension to the discovery plan,
24 and continue the discovery deadlines for 60-days as requested herein.

25 **I. LOCAL RULE 6-1 IS SATISFIED**

26 This is the first request for extension of discovery deadlines filed by the parties.
27 Pursuant to the Joint Discovery Plan and Scheduling Order from April 6, 2020, the
28 following dates govern for purposes of discovery:

| | | |
|---|----------------------------------|-------------------|
| 1 | 1. Discovery Cutoff Date: | November 30, 2020 |
| 2 | 2. Expert Designations: | October 1, 2020 |
| 3 | 3. Rebuttal Expert Designations: | November 2, 2020 |
| 4 | 4. Interim Status Report: | October 1, 2020 |
| 5 | 5. Dispositive Motions: | December 30, 2020 |
| 6 | 6. Joint Pre-Trial Order: | January 29, 2021 |

7 Due to Covid-19, there have been delays in obtaining Plaintiff's medical records
 8 and conducting additional discovery such as depositions and an Independent Medical
 9 Examination. As such, the parties need additional time to prepare for the disclosure of
 10 Initial Experts. Accordingly, the parties are requesting a 60-day extension to all
 11 discovery deadlines.

12 The instant request comports with Local Rule 6-1, in that no request is being
 13 made after the expiration of the specified period.

14 **I. LOCAL RULE 26-4 IS SATISFIED**

15 The instant request to extend discovery deadlines satisfies the requisites of Local
 16 Rule 26-4. Additionally, good cause exists for the extension. Due to Covid-19, there
 17 have been delays in obtaining Plaintiff's medical records and conducting additional
 18 discovery such as depositions and the parties require additional time to conduct
 19 discovery in preparation for initial expert disclosures. Moreover, additional time is
 20 required to conduct any additional written discovery, schedule depositions and an
 21 Independent Medical Examination and to complete discovery. As a result, the parties
 22 request all discovery deadlines be extended 60-days.

23 Listed below is a statement specifying the discovery completed in this case:

| | |
|---|----------------|
| 24 Plaintiff's Rule 26 Initial Disclosures | April 21, 2020 |
| 25 Defendant James River Insurance Company's Initial Disclosure of Witnesses 26 And Documents Pursuant to FRCP 26(a)(1) | April 23, 2020 |
| 27 Plaintiff's First Set of Discovery Requests | May 18, 2020 |

| | | |
|----|--|-----------------|
| 1 | Defendant James River Insurance Company's Responses to Plaintiff's First Set of Requests For Admission | July 7, 2020 |
| 3 | Defendant James River Insurance Company's Responses to Plaintiff's First Set of Requests For Production | July 7, 202 |
| 5 | Defendant James River Insurance Company's Responses to Plaintiff's First Set of Interrogatories | July 7, 202 |
| 7 | Defendant James River Insurance Company's First Set of Requests for Admission to Plaintiff Darnisha Johnson | August 18, 2020 |
| 9 | Defendant James River Insurance Company's First Set of Requests for Production to Plaintiff Darnisha Johnson | August 18, 2020 |
| 11 | Defendant James River Insurance Company's First Set of Interrogatories to Plaintiff Darnisha Johnson | August 18, 2020 |

13 Due to Covid-19, there have been delays in obtaining all of Plaintiff's medical
 14 records and conducting additional discovery such as depositions and an Independent
 15 Medical Examination. As such, it is necessary to extend the discovery deadlines so
 16 there is time to procure all relevant records, exchange any additional written discovery,
 17 obtain experts, schedule depositions and have Plaintiff undergo an Independent
 18 Medical Examination.

19 Finally, under Local Rule 26(4), it is necessary to articulate a proposed schedule
 20 for completing all remaining discovery. Defendant James River Insurance Company
 21 is requesting an additional 60 days be afforded for discovery.

22 The following deadlines are requested.

| | | |
|----|----------------------------------|-------------------|
| 23 | 1. Discovery Cutoff Date: | January 29, 2021 |
| 24 | 2. Expert Designations: | November 30, 2020 |
| 25 | 3. Rebuttal Expert Designations: | December 30, 2020 |
| 26 | 4. Interim Status Report: | November 30, 2020 |
| 27 | 5. Dispositive Motions: | March 1, 2021 |

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1 6. Joint Pre-Trial Order:

March 31, 2021

2 The parties hereby stipulate to the proposed changes in the discovery deadlines.

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4 Dated this 14th day of September, 2020

Dated this 14th day of September, 2020

5 LOWE LAW GROUP

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13 James River Insurance Company

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15 **ORDER**

16 **IT IS SO ORDERED:**

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19 **UNITED STATES MAGISTRATE JUDGE**

20 Dated: September 14, 2020

21 The **STIPULATION AND ORDER TO EXTEND DISCOVERY (FIRST**
22 **REQUEST)** in 2:20-cv-00399-JCM-EJY was submitted by:

23 BREMER WHYTE BROWN & O'MEARA LLP

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